

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**: CIVIL NO: C-1-00-277  
: JUDGE WEBER  
: MAGISTRATE JUDGE HOGAN**

**KIM GABBARD,  
aka KIM E. GABBARD,**

**Defendant.**

**MOTION FOR JUDGMENT DEBTOR EXAMINATION**

1. Jurisdiction of this Court is invoked pursuant to Federal Rules of Civil Procedure 26, 30(a), 30(b), 69(a), 28 U.S.C. Sections 636(A)(2), 3015(a), and 3008.

2. In the above captioned case there has been a judgement entered in favor of Plaintiff and against the named defendant which has gone unsatisfied in whole or in part. To the best of the Plaintiff's knowledge, judgment debtor resides in this judicial district. The judgment has not been appealed, satisfied, vacated or reversed, and is a judgment upon which execution may properly be issued. This judgment remains unpaid, and there is now the amount of \$6,906.19 due and owing on the judgment, plus accrued interest, as of December 20, 2004. Interest will continue to accrue thereafter on the principal balance of the unpaid judgment at the applicable post-judgment interest rate until the debt is satisfied.

3. The United States of America has been unsuccessful in its attempts to have the Defendant satisfy the judgment or voluntarily supply current financial information that would facilitate payment of this debt.

**WHEREUPON**, the United States of America petitions this Honorable Court to enter an Order requiring the judgment debtor to appear before the Magistrate Judge Hogan at such time and place as the Court may direct and to answer questions concerning his/her assets, income, expenditures, credits, personal and real property, and to bring all information set forth in Government Exhibit A.

Respectfully submitted,

GREGORY G. LOCKHART  
United States Attorney

s/ Deborah F. Sanders  
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DEBORAH F. SANDERS (0043575)  
Assistant United States Attorney  
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Suite 200  
Columbus, Ohio 43215  
(614) 469-5715

**CERTIFICATE OF SERVICE**

A true copy of the above and foregoing Motion for Judgment Debtor Examination was filed with the Clerk of Court using the CM/ECF system and mailed, to Kim Gabbard, Defendant, 4510 E. Galbraith Rd., Cincinnati, OH 45236, by first class mail, postage prepaid, this \_\_\_\_3<sup>rd</sup> \_\_\_\_ day of \_\_\_\_\_ January \_\_\_\_\_, 2005.

s/ Deborah F. Sanders  
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DEBORAH F. SANDERS (0043575)  
Assistant United States Attorney